

JUDGE THOMAS O. RICE

Heather C. Yakely, WSBA #28848
Evans, Craven & Lackie, P.S.
818 W. Riverside, Suite 250
Spokane, WA 99201-0910
(509) 455-5200
hyakely@ecl-law.com

Attorney for Spokane County Defendants

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

JAMES LEIGHTY,

Plaintiffs,

vs.

SPOKANE COUNTY, a municipal
corporation; SHERIFF JOHN
NOWELS, an individual; and
SPOKANE COUNTY
SHERIFF'S OFFICE, a subdivision
of a
municipal corporation,

Defendants.

No. 2:24-cv-00165-TOR

**DEFENDANTS' MOTION TO
SHORTEN TIME TO HEAR
MOTION FOR OVERLENGTH
RE: RESPONSE TO
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: June 21, 2024

WITHOUT ORAL ARGUMENT

I. MOTION

DEFENDANTS' MOTION TO SHORTEN TIME
TO HEAR MOTION FOR OVERLENGTH RE:
RESPONSE TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION- page 1

1 Defendants Spokane County, Sheriff John Nowels, and Spokane County
2 Sheriff's Office, move the court for an order allowing their "Motion for
3 Overlength" to be heard on a shortened time on Monday, July 1, 2024, without
4 oral argument, because there is not sufficient time to have the motion noted in
5 compliance with local rules before Plaintiff's Motion for Preliminary Injunction
6 hearing. Good cause exists for the Court to hear the Motion for Overlength in
7 conjunction with the Motion for Preliminary Injunction.
8
9
10

11 **II. DECLARATION**

12
13 I, HEATHER YAKELY hereby declare under penalty of perjury under the
14 laws of the State of Washington, that the following is true and accurate:
15

- 16 1. I am over the age of eighteen and am competent to testify.
17
- 18 2. I am the attorney for defendants Spokane County, Sheriff John Nowels, and
19 the Spokane County Sheriff's Office, in the above-captioned lawsuit, and I
20 make this declaration based upon my personal knowledge.
21
- 22 3. I attempted to prepare the Motion for Overlength in short order to provide
23 the court and all counsel time to respond.
24
- 25 4. The Motion for Overlength is intertwined with Plaintiff's Motion for
26 Preliminary Injunction factually and legally – also overlength, and judicial
27

28 DEFENDANTS' MOTION TO SHORTEN TIME
29 TO HEAR MOTION FOR OVERLENGTH RE:
30 RESPONSE TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION- page 2

1 economy supports an order shortening time so the Motion for Overlength
2 can be heard before or in conjunction with Plaintiff's Motion for
3 Preliminary Injunction.
4

5 DATED this 13 day of June 2024.
6

7
8 EVANS, CRAVEN & LACKIE, P.S.
9

10
11 /s/Heather Yakely
12 HEATHER C. YAKELY, WSBA #28848
13 *Attorneys for Defendants*
14 SPOKANE COUNTY, JOHN NOWELS,
15 *And* SPOKANE COUNTY SHERIFF'S
16 OFFICE
EVANS, CRAVEN & LACKIE, P.S.
17
18
19
20
21
22
23
24
25
26
27

28 DEFENDANTS' MOTION TO SHORTEN TIME
29 TO HEAR MOTION FOR OVERLENGTH RE:
30 RESPONSE TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION- page 3

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Braden Pence

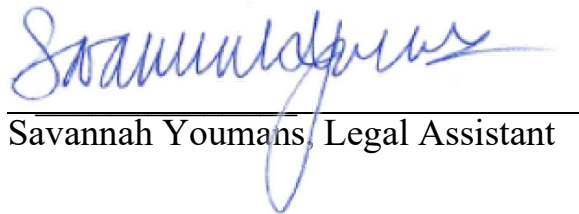
Mika K. Rothman

Joseph R. Shaeffer

Email: bradenp@mhb.com

Email: mikar@mhb.com

Email: joe@mhb.com



Savannah Youmans, Legal Assistant

DEFENDANTS' MOTION TO SHORTEN TIME
TO HEAR MOTION FOR OVERLENGTH RE:
RESPONSE TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION- page 4